

# Notice of Allowability

Application No.

09/806,425

Examiner

Matthew J. Sked

Applicant(s)

MAES ET AL.

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to interview on 10/05/05.
2. ☒ The allowed claim(s) is/are 14,15,18,20,21 and 24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/05/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. In the interview on 10/05/05, Applicant's representative indicated the intent to have claim 12 cancelled. Below is the cancellation of claim 12 through Examiner's Amendment.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank DeRosa on 10/05/05.

The application has been amended as follows: Cancel Claim 12.

### ***Allowable Subject Matter***

3. Claims 14, 15, 18, 20, 21 and 24 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Claims 15 and 21 recite the combination of receiving a request for a conversational resource by a first network device, making a determination if to process the requested conversational services one of locally, remotely or both locally and remotely, communicating with the second network device to use the conversational

Art Unit: 2655

resources of the second network device if it is determined to process the request at least partially using the second network device, wherein the determining comprises determining whether the local conversational resources are available for processing the requested conversational service, if they are available executing the requested conversational service using the local conversational resources, determining if the results from the local processing are acceptable and if they are not, automatically accessing the second network device to remotely process the requested conversational service.

Tel teaches a method and program storage device for providing automatic and coordinated sharing of conversational resources between network devices, comprising the steps of: receiving a request for a conversational service by a first network device (outputs and performs TTS based on a user's information request, col. 3, lines 60-65); determining by the first network device to process the requested conversational service locally and remotely using both the local and remote conversational resources and automatically communicating with the at least second network device, if it is determined that the conversational service will be processed, at least in part, remotely using the conversational resources of the at least second network device (based upon the user's request the local device converts raw text to a parameter stream locally and transmits this stream to the remote device for synthesis, col. 3, line 60 to col. 4, line 6).

Jacobs teaches a distributed speech recognition system with both a local and remote speech recognizer that makes a decision if the inputted speech is a special voiced command and if so processes the speech locally on the client and if not the

Art Unit: 2655

speech features are transmitted to perform recognition at the base station (col. 8, lines 46-56).

Neither Tel nor Jacobs teaches determining if the results from the local processing are acceptable and if they are not, automatically accessing the second network device to remotely process the requested conversational service. It would not have been obvious to one of ordinary skill in the art at the time of invention to modify the systems of Tel and Jacobs to arrive at the Applicant's invention.

5. Claims 14, 18, 20 and 24 are allowed because they further limit the subject matter to which they refer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Sked whose telephone number is (571) 272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2655

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MS  
10/05/05

A handwritten signature in black ink, appearing to be 'W. R. Young', with a stylized, cursive-like structure.

W. R. YOUNG  
PRIMARY EXAMINER